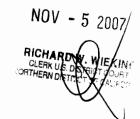
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CLARE DESTRICT COURT
FINER DISTRICT COURT

## UNITED STATES DISTRICT COURT IN AND FOR SC THE NORTHERN DISTRICT OF CALIFORNIA

CASE NO.

Plaintiff, vs.

CONOCOPHILLIPS COMPANY, a Texas Corporation and DOES 1 through 10, Inclusive

Defendants.

07 5627

PROPOSED ORDER GRANTING TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW

PRELIMINARY

INJUNCTION

TO DEFENDANT, CONOCOPHILLIPS COMPANY AND TO ITS ATTORNEY OF RECORD:

The Court having considered Plaintiff's Application for Temporary Restraining Order/Preliminary Injunctive relief requesting that Defendant, ConocoPhillips Company, you, your officers, agents, servants, employees and attorneys, and all those in active concert or participation with you be compelled, prohibited, restrained, enjoined and ordered as follows:

• From taking any further action to interfere with Plaintiff, Houtan Petroleum, Inc.'s, assumption of immediate possession as the tenant at the premises located at 101 E. El Camino Real, Mountain View, California 94040 upon the termination of ConocoPhillips' right to grant possession of such premises October 31, 2007;

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- From removing, or causing, in any manner to be removed any equipment or improvements located at the premises located at 101 E. El Camino Real, Mountain View, California 94040;
- Compelling it to resume its franchise relationship with Plaintiff, Houtan Petroleum, Inc., including but not limited to the delivery of motor fuel and electronic processing of credit card sales transactions pursuant to its franchise agreement with Plaintiff;
- Being compelled by this Court to continue to sell and supply Union 76 branded fuel to Plaintiff under the existing retail sales agreement between Plaintiff and ConocoPhillips Company.

The Court having duly considered the Complaint on file herein, the Notice of Application, the accompanying Memorandum of Points and Authorities, the Declarations of Ed Haddad and Thomas P. Bleau and Exhibits attached thereto, filed concurrently herewith, all pleadings and papers on file in this action and good cause appearing,

IT IS HEREBY ORDERED that said Application for a Temporary Restraining Order/Preliminary Injunctive relief is **GRANTED** so that ConocoPhillips Company, its officers, agents, servants, employees and attorneys, and all those in active concert or participation with it (hereinafter referred to as the "Enjoined Parties") are compelled, prohibited, restrained, enjoined and ordered as follows:

- The Enjoined Parties are so enjoined from taking any further action to interfere with Plaintiff, Houtan Petroleum, Inc.'s, assumption of immediate possession as the tenant at the premises located at 101 E. El Camino Real, Mountain View, California 94040 upon the termination of ConocoPhillips' right to grant possession of such premises October 31, 2007;
- Such Enjoined Parties are so enjoined from removing, or causing, in any manner to be removed any equipment or improvements located at the